

December 3, 2004

Ms. Marlene H. Dortch  
Secretary  
Federal Communication Commission  
445 12th Street, S.W. – The Portals  
Washington, D.C. 20554

Re: Notice of Ex Parte Presentations  
CS Docket No. 97-80

Dear Ms. Dortch

On Thursday, December 2, 2004, Kevin Leddy, Time Warner Cable Senior Vice President, Strategy and Development; Timothy Dodd, Time Warner Cable Vice President, Technology Policy; and the undersigned, met with Jon Cody and Erin Dozier of Chairman Powell's office regarding the above-captioned matter. During this meeting, we discussed why the ban on cable operator deployment of integrated set-top boxes should be eliminated, or at a minimum, extended for at least 18-months. In particular, we noted that there should be no doubt as to the cable industry's commitment to a retail market, as evidenced by the successful implementation of the MSO-CE Agreement following the Commission's adoption of rules in its Plug and Play Order. In light of this, we believe that the ban would now serve only to limit consumer choice and unnecessarily raise costs to consumers. And given the lead time required to build and deploy cable card enabled set-top boxes, we urged the Commission to act promptly on this matter.

Pursuant to Section 1.1206(b) of the Commission's rules, copies of this notice are being filed electronically in the above-captioned proceedings for inclusion in the public record. Should you have any questions, please do not hesitate to contact me.

Respectfully submitted,



Steven N. Teplitz  
*Vice President and Associate General Counsel*  
*Time Warner Inc.*

cc: Jon Cody  
Erin Dozier